



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY MANEUVER SUPPORT CENTER AND FORT LEONARD WOOD**  
**320 MANSCEN LOOP STE 316**  
**FORT LEONARD WOOD, MISSOURI 65473-8929**

REPLY TO  
ATTENTION OF

ATZT-JA

03 APR 2007

**MEMORANDUM FOR SEE DISTRIBUTION**

**SUBJECT: Command Policy # 14-07, Lautenberg Amendment and Other Federal Firearm Restrictions**

**1. REFERENCES.**

a. 18 U.S.C. § 922, Domestic Violence Amendment to the Gun Control Act of 1968 (The Lautenberg Amendment).

b. Memorandum, USD(P&R), Subject: Department of Defense (DoD) Policy for Implementation of Domestic Violence Misdemeanor Amendment to the Gun Control Act for Military Personnel, 27 Nov 2002.

c. Memorandum, USD(P&R), Subject: Department of Defense (DoD) Policy for Implementation of Domestic Violence Misdemeanor Amendment to the Gun Control Act for Civilian Personnel, 27 Nov 2002.

d. Message, HQDA/DAPE-MPE, Subject: HQDA Message on Final Implementation of the Lautenberg Amendment to the Gun Control Act of 1968, 16 Oct 2003.

**2. PURPOSE.** This policy letter outlines US Army Maneuver Support Center and Fort Leonard Wood procedures for ensuring compliance with the Domestic Violence Amendment to the Gun Control Act of 1968 (Lautenberg Amendment) as well as other restrictions on the use of firearms outlined in the references cited above.

**3. POLICY/PROCEDURES.**

a. It is unlawful for any person who has been convicted of any crime punishable by imprisonment for a term exceeding 1 year, or who is subject to a court order regarding domestic violence to possess or receive firearms or ammunition. Additionally, the Lautenberg Amendment makes it unlawful for any person who has been convicted of a misdemeanor crime of domestic violence to transfer, issue, sell, possess, receive, or otherwise dispose of any firearms or ammunition.

b. A "qualifying conviction" for purposes of the Lautenberg Amendment includes a conviction for a crime of domestic violence tried by general or special court-martial which otherwise meets the definition of a misdemeanor crime of domestic violence. Furthermore, by DoD policy, a conviction for an offense meeting the definition of a felony crime of domestic violence adjudged after 27 November 2002 shall also be considered a "qualifying conviction" for purposes of this policy. The term "qualifying conviction" does not include summary court-martial convictions,

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imposition of non-judicial punishment (Article 15, UCMJ), or deferred prosecutions (or similar alternative dispositions) in civilian courts.

c. This policy applies to all military personnel and DoD appropriate/nonappropriated fund civilian employees as defined in 5 U.S.C. § 2105.

d. Soldiers who meet any of the preceding disqualifications will not, under any circumstances, be issued a weapon or its associated ammunition. Government issued firearms and ammunition will not be issued to any DoD employee found to have a "qualifying conviction". Upon discovery of such conviction, all firearms and ammunition shall be retrieved from any Soldier or DoD employee and their authority to possess the same shall be suspended.

e. Commanders are responsible for ensuring compliance with federal law and may be held criminally liable for issuing weapons to persons who are disqualified from possessing them. Commanders will maintain active records on all Soldiers in their commands regarding "qualifying convictions". At a minimum, the following will be done:

(1) Commanders will ensure every Soldier is briefed on the applicable federal laws regarding the possession of a firearm upon arrival at their unit and determine whether or not an individual is disqualified from possessing firearms or ammunition.

(2) Commanders will report those soldiers having disqualifications on their appropriate Unit Status Report (USR) or Monthly Status Report (MSR). Further, those Soldiers will be reassigned to positions not requiring the issuance of weapons or ammunition.

(3) Commanders will notify Soldiers that they have an affirmative, continuing obligation to inform commanders or supervisors if they have, or later obtain, a qualifying conviction, and that the revised DD Form 2760 shall be made available for those Soldiers who come forward to report a qualifying conviction. Soldiers will also be notified that neither the information nor evidence gained by filling out the DD Form 2760 may be used against them in any criminal prosecutions, including prosecutions under the UCMJ, based on a violation of 18 U.S.C. § 922 for conduct that occurred prior to completion of the form.

f. Commanders will not deploy Soldiers who are disqualified from carrying firearms or ammunition. Additionally, when commanders do not have confirmation of a Soldier's disqualification under federal law but have a reasonable belief that the Soldier has such a disqualification, the commander will assign that Soldier to duties not requiring the issuance of a weapon or ammunition until a final determination is made.


g. DoD personnel subject to the provisions of the Lautenberg Amendment shall be governed by the policies and procedures outlined in reference 1b above.

4. SUPERSESSON. This policy supersedes previous policy #14-02, dated 24 July 2002, subject: Command Policy #14-02, Issuance of Weapons and/or Ammunition to Soldiers with Qualifying Misdemeanor Domestic Violence Convictions (Lautenberg Amendment) and Other Federal Firearm Restrictions and is in effect until superseded or rescinded.

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5. PROPONENCY. The proponent for this policy is the Staff Judge Advocate, 6-0624, and will provide commanders with information regarding both the Lautenberg Amendment and additional federal laws that will assist commanders in implementing this guidance.



WILLIAM H. MCCOY  
Major General, USA  
Commanding

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